



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
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Arnold Schwarzenegger
Governor

January XX, 2009

Marine Corps Air Station El Toro
Base Realignment and Closure
Attn: Ms. Debra Theroux
Deputy Base Closure Manager
7040 Trabuco Road
Irvine, California 92618

Dear Ms. Theroux:

The California Department of Toxic Substances Control (DTSC) completed its review of the Finding of Suitability to Transfer #4 (FOST 4) document dated December 2008. This document applies to Carve-Outs I-B, I-E, I-G, I-H, I-I, I-J, I-L, I-M, I-P, II-G, II-I, II-P, and III-D at the former Marine Corps Air Station (MCAS) El Toro and provides environmental findings that this property is suitable for transfer by deed. Based upon its review of FOST 4 and other supporting documentation, DTSC finds that corrective action pursuant to the California Health and Safety Code, chapter 6.5, section 25200.10 has been completed for all known releases of hazardous constituents on Carve-Outs I-E, I-G, I-H, I-I, I-J, I-P, II-G, II-I, II-P, and III-D proposed for transfer. The hazardous waste facility boundary of MCAS El Toro is hereby modified to exclude this property. Carve-Outs I-B, I-L, and I-M, also identified in FOST 4 as being proposed for transfer, have on-going corrective action for petroleum releases and are not included in this corrective action complete determination.

MCAS El Toro is a hazardous waste facility that operated under a Resource Conservation and Recovery Act (RCRA) Part B Storage Permit, which expired in 2003. As a hazardous waste facility, MCAS El Toro must undertake corrective action for all releases of hazardous waste or constituents on all contiguous property it owned or operated. RCRA corrective action applies to a broad range of releases that is not limited to hazardous waste. All spills and releases of fuel, oil, and hazardous chemicals are subject to RCRA corrective action. Accordingly, DTSC makes this determination that corrective action has been completed for the ten carve-outs listed above based on the review of its files, FOST 4, and on the findings, supporting documentation, and correspondence from the Santa Ana Regional Water Quality Control Board (RWQCB) and Orange County Health Care Agency (OCHCA).

The identification of hazardous waste or constituent releases was completed through a RCRA Facility Assessment, historical aerial photograph survey, aboveground and underground storage tank inventory and closure program, polychlorinated biphenyls transformer and equipment inventory, and other assessments conducted under the United States Navy's Installation Restoration Program. DTSC determined that no RCRA-regulated hazardous waste treatment, storage, or disposal units exist on the carve-outs proposed for deed transfer in FOST 4. The following locations of concern were identified and addressed within the ten carve-outs subject to this determination:

- 1) Twelve hazardous substance locations of concern that received regulatory concurrence for no further action decisions,
- 2) Thirty-nine aboveground and underground storage tank sites that received regulatory closure letters, and
- 3) Eleven other locations of concern that were evaluated, including, polychlorinated biphenyl equipment and transformers, oil water separators, silver recovery units, suspected radiological sites, and an aerial photograph anomaly site.

The MCAS El Toro FOST 4 documents environmental findings to support that the property proposed for transfer is suitable for transfer by deed. FOST 4 further documents that with the exception of six underground storage tank sites that have on-going corrective action for petroleum releases, corrective action has been conducted for all hazardous waste, hazardous substances and hazardous constituent releases identified by previous environmental assessments and that those actions were conducted to adequately protect human health, safety and the environment. Finally, FOST 4 documents that the deed transfer property will not be negatively impacted by adjacent and contiguous properties where corrective action is not complete.

This Corrective Action Complete Determination is based on the completeness of environmental assessments to identify releases and the accuracy of documentation provided to DTSC. Where the OCHCA and the RWQCB provided regulatory closure letters pertaining to those areas subject to their regulatory purview, DTSC did not independently review these actions and bases its determination on the respective agency findings. Should new information arise about uncontrolled releases of hazardous wastes, substances, or constituents on the ten carve-outs subject to this determination, DTSC reserves the right to require corrective action.

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If you have questions or comments concerning this matter, please contact
Mr. Quang Than, at (714) 484-5352 or qthan@dtsc.ca.gov.

Sincerely,

John Scandura
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